

AMENDMENT TO DRAWING FIGURES

Please amend the arrows of FIG. 2 between elements 26 and 28 and elements 26 and 32 to indicate bi-directional communication, as indicated in the attached replacement sheet containing FIG. 2.

REMARKS

This is in response to the Office Action mailed February 7, 2005, in which the Examiner rejected all of the pending claims. With this amendment, Applicant has amended FIG. 2. Reconsideration of the application as amended is respectfully requested.

Objection to FIG. 2

In Section 4 of the Office Action, the Examiner objected to FIG. 2 because the arrows between elements 28 and 26 and elements 26 and 32 were not bi-directional. The Examiner believed that they should be bi-directional since the amount of print consumable is updated and notified to the computer. Although Applicant submits that FIG. 2 satisfies the requirements of 37 C.F.R. §1.81, Applicant has amended FIG. 2 as suggested in order to expedite the prosecution of the application.

Claim Rejections 35 U.S.C. §112

In Section 5 of the Office Action, the Examiner rejected claim 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner found that it was uncertain as to whether all of the image files received in (a) were the same. Additionally, the Examiner found that the multiplication in (c) indicates that all of the image files are the same.

Although the Examiner correctly identifies one of the embodiments of the present invention as determining a requested print consumable amount by multiplying a requested print consumable amount for a single image file by the number of copies that are to be rendered of that particular image file, another

aspect of the present invention relates to the processing of a batch print job where different image files are to be rendered. As explained at page 15, lines 8-21, the requested print consumable amount for the batch print job is estimated by multiplying the total number of images to be rendered by the print consumable amount needed to render one of the image files. Although this estimate may not be as exacting as when only one image file is to be rendered multiple times, the result can be a good approximation of the print consumable amount needed to render of all of the image files of the batch print job.

Therefore, Applicant submits that claim 15 satisfies the requirements of 35 U.S.C. §112, second paragraph, and requests that the rejection be withdrawn.

Claim Rejections - 35 U.S.C. §103

In the Office Action, the Examiner rejected claims 1-13, 15-18 and 20-23 under 35 U.S.C. §103(a) as being unpatentable over Moreau et al. (U.S. Patent No. 6,791,704) (hereinafter Moreau) in view of Maruta et al. (U.S. Patent No. 6,064,838), and in further view of Bradshaw et al. (U.S. Patent No. 6,264,295). Applicant respectfully believes that the rejections are improper because Moreau is disqualified as prior art to the present application.

The present application claims the benefit of U.S. Provisional Application Serial No. 60/116,469, filed January 20, 1999, as indicated in the attached combined Declaration and Power of Attorney. Moreau was filed in the U.S. on October 20, 1999. Therefore, Moreau is not prior art to the present application under 35 U.S.C. §102(a) or (b). Additionally, the claim of priority to the French application filed October 23, 1988 does not qualify Moreau as prior art under 35 U.S.C. §102(e) since the priority document was not filed under the Patent Cooperation Treaty. Therefore, Applicant submits that Moreau is disqualified

as prior art to the present application, and requests that the rejections be withdrawn.

Conclusion

In light of the above comments and remarks, Applicant submits that the present application is in condition for allowance. Reconsideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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